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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.1056 OF 2021

Krushna Bhagwan Patil ...Appellant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Rahul Motkari i/b Mr. Anand Y. Dhongade for the Appellant

Ms. Anamika Malhotra, A.P.P for the Respondent No.1– State

Mr. Shantanu Kadam a/w Mr. Aditya Kumare i/b Mr. Gaurav Parkar for the
Respondent No.2

Investigating Officer is present in Court

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 24th FEBRUARY 2022

P.C. :

- 1 Heard learned counsel for the appellant.
- 2 By this appeal, the appellant seeks pre-arrest bail in connection with C.R. No.0347 of 2021 registered with the New Panvel Police Station, Raigad, for the alleged offences punishable under Sections 323, 324, 341, 506 of the Indian Penal Code and under Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
- 3 Vide order dated 12th January 2022, the appellant was granted interim protection and notice was issued to the respondents. Pursuant to

the notice, Mr. Gaurav Parkar filed his appearance on behalf of the respondent No. 2.

4 As far as the offence of assault is concerned, it appears that the respondent No. 2 has not received any grievous injury/serious injury. It appears that the appellant and the respondent No. 2 got into a fight, which was stopped by the respondent No.2's brother. It appears that there is a previous animosity between the parties. *Prima facie*, it appears that the quarrel was not because the respondent No.2 belonged to any reserved category. Infact, a perusal of the FIR shows that there are no allegations that the appellant uttered any abuses in the name of the caste of the respondent No.2.

5 Considering the aforesaid, the interim order dated 12th January 2022 stands confirmed on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the appellant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/-, with one or two sureties in the like amount;
- (ii) The appellant shall report to the Investigating Officer of the concerned Police Station, as and when called, till the filing of the charge-sheet;

(iii) The appellant shall not contact respondent No.2 or any witness or person concerned with the case;

(iv) The appellant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant shall cooperate in the conduct of the trial.

6 Appeal is disposed of in the aforesaid terms.

7 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.